

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JONATHAN GAFFERS,

Plaintiff,

v.

Case Number 16-10128

Honorable David M. Lawson

KELLY SERVICES, INC.,

Defendant.

**ORDER DISMISSING BREACH OF CONTRACT CLAIMS
AND STRIKING IMPROPER FILING**

On February 18, 2016, the parties presented to the Court a stipulation to dismiss without prejudice certain of the plaintiff's putative class-action claims brought under Federal Rule of Civil Procedure 23. The Court therefore will dismiss those claims. *See* Fed. R. Civ. P. 41(a)(2).

However, the parties also improperly included with their stipulation a proposed order that they wanted the Court to sign and enter. It is inappropriate for any party to file a proposed stipulated order on the docket. "Proposed orders must be submitted to the judge to whom the case is assigned . . . via the link located under the Utilities section of CM/ECF." E.D. Mich. Electronic Filing Policies and Procedures R11(a). If a proposed order is accepted, the Court will then docket it with the Judge's electronic signature. "Proposed" orders should never be e-filed and docketed by a party. The Court therefore will strike the parties' improperly filed stipulation and order.

Accordingly, it is **ORDERED** that the plaintiff's class-action claims for breach of contract brought under Federal Rule of Civil Procedure 23 are **DISMISSED** without prejudice.

It is further **ORDERED** that the parties' stipulation and proposed order [dkt. #21] is

STRICKEN.

s/David M. Lawson
DAVID M. LAWSON
United States District Judge

Dated: February 23, 2016

PROOF OF SERVICE

The undersigned certifies that a copy of the foregoing order was served upon each attorney or party of record herein by electronic means or first class U.S. mail on February 23, 2016.

s/Susan Pinkowski
SUSAN PINKOWSKI